

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Hartford Accident and Indemnity)	C/A No.: 3:15-240-TLW-SVH
Company,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Wateree Construction Company, Inc.;)	
and Derek S. Zeigler,)	
)	
Defendants.)	
)	

This matter comes before the court on the failure of defendant Wateree Construction Company, Inc. (“WCC”), to comply with the order of the Honorable Terry L. Wooten, Chief United States District Judge, to retain counsel. [ECF Nos. 36, 39]. It is well-established that a corporate entity cannot appear pro se and must be represented by counsel in court. The United States Supreme Court recognized that:

[i]t has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel. As the courts have recognized, the rationale for that rule applies equally to all artificial entities. Thus, save a few aberrant cases, the lower courts have uniformly held that 28 U.S.C. § 1654, providing that “parties may plead and conduct their own cases personally or by counsel,” does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney.

Rowland v. California Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 201–02 (1993) (internal citations and footnote omitted); *see also Honour Technical Group, Inc. v. United States*, 326 F. App’x 141, 142 (4th Cir. 2009) (this rule also applies

to limited liability corporations); *RZS Holdings AVV v. PDVSA Petroleo S.A.*, 506 F.3d 350, 354 n.3 (4th Cir. 2007). While 28 U.S.C. § 1654 allows individuals to “plead and conduct their own cases personally,” the statute does not extend that right to represent other parties.

Accordingly, WCC is directed to retain counsel by December 6, 2016. If WCC fails to retain licensed counsel to file an entry of appearance by December 6, 2016, the undersigned will recommend that an entry of default judgment be entered against it.

IT IS SO ORDERED.



November 15, 2016
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge